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United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: Application # 10/734,891

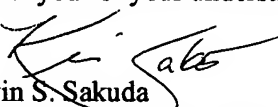
Dear Commissioner for Patents,

This letter is a response to your communication on October 4th, 2005 regarding the abandonment of application number 10/734,891. As stated in the Notice of Abandonment a communication was received by the Office on June 16th, 2005 sixteen working days after the response period expired on May 24th, 2005.

This delay in responding to Inspector Ricci's comments over application #10/734,891 was unavoidable and after consulting 37 CFR 1.137(a) we have prepared the following:

1. A copy of the required response received by the Office on June 16th, 2005.
2. \$55.00 petition fee as specified in 1.17(l)
3. The delay in responding to Inspector Ricci's comments were unavoidable as additional time was required to adequately address and respond to Inspector Ricci.
4. No terminal disclaimer and fee are required as this patent was filed after June 8th, 1995.

Thank-you for your understanding,


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Inspector John Ricci
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RE: Utility Patent Application # 10/734,891 Speargun Open Muzzle Band Elevator

Dear Inspector Ricci,

Thank-you for your time in reviewing this very important patent application. This letter has been written to inform the patent office that I, the inventor, disagree with your findings that patent application ## 10/734,891 for a Speargun Open Muzzle Band Elevator is not a new or original invention.

From the information that was provided by your office and through further research I firmly believe that my invention the Speargun Open Muzzle Band Elevator is an original invention or configuration. Although previous patents have been issued by the office for Speargun Band Elevators and similar inventions none has incorporated such configurations into an "Open Muzzle" style speargun muzzle. This incorporation of the Speargun Band Elevators into an open muzzle style speargun is unique, novel, and new and has been made possible through resin casting techniques that were not available until recently.

Therefore please review patent application ## 10/734,891 for a Speargun Open Muzzle Band Elevator as the claim regarding the open muzzle configuration was not adequately addressed.

I thank-you for your time,

Kevin S. Sakuda
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